

Notice of Allowability

Application No.

10/659,466

Examiner

Michael P. Stafira

Applicant(s)

SHAW ET AL.

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2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/10/2005.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☒ The drawings filed on 9/10/2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/10/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-24 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

The Applicant amended claims 1, 9, 18 according to the "Amendment- After Non-Final Rejection" filed February 10, 200, and presented arguments in favor of allowance of the existing claims. The Applicant demonstrated to the Examiner's satisfaction that, with respect to the 35 U.S.C. 102 (e) rejection of independent claims 1, 9, 18, the primary reference of Lindsay et al. ('695), and any other prior art, fails to disclose the features of the present invention.

Regarding claim 1, the prior art fails to disclose or make obvious an anomaly detector apparatus for detecting an anomaly in a tire having a reflected light receiving apparatus for receiving the light reflected directly from the tire when the tire is in a stressed and unstressed condition; a processor which compares images of the direct reflected light from the reflected light receiving apparatus when the tire is stressed and unstressed thereby ascertaining an anomaly in the tire and which generates an output from the comparison and a display apparatus electronically connected to the processor for displaying the output from the processor, and in combination with the other recited limitations of claim 1. Claims 2-8 are allowed by the virtue of dependency on the allowed claim 1.

Regarding claim 9, the prior art fails to disclose or make obvious a method of detecting an anomaly in a tire having the steps of providing a reflected light receiving apparatus for receiving the light reflected directly from the tire when the tire is in a stressed and unstressed condition; providing a processor which views and compares images of the direct reflected light

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from the reflected light receiving apparatus when the tire is stressed and unstressed thereby ascertaining an anomaly in the tire and generates an output from the comparison and displaying from the apparatus electronically connected to the processor, the output from the processor, and in combination with the other recited limitations of claim 9. Claims 10-17 are allowed by the virtue of dependency on the allowed claim 9.

Regarding claim 18, the prior art fails to disclose or make obvious an image of an anomaly of a tire having an output from a computer wherein the output is from a reflected diffused beam of a source of coherent light shown directly onto a tire surface which tire surface has had the light shown on it when the tire is stressed and unstressed condition, the output is the result of comparing the direct reflected light shown onto the tire in a stressed and unstressed condition or in multiple stressed conditions, and the output is characterized as a single image of the anomaly obtained from the diffused beam of coherent light shown onto the tire. Claims 19-24 are allowed by the virtue of dependency on the allowed claim 18.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Stafira whose telephone number is 571-272-2430. The examiner can normally be reached on 4/10 Schedule Mon.-Thurs..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Toatley can be reached on 571-272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Michael P. Stafira
Primary Examiner
Art Unit 2877

April 5, 2005